

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

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James Lecky, Director of Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway, Room 13821
Silver Spring, Md
20910
Attn: Mr. Kenneth Hollingshead

October 16, 2006

Contract No. 04-0120E4
04-SF-80-13.4, 13.8

SAS T1 & E2 Foundations
SFOBB-ESSSP

Letter No. 05.026.01-000003

Subject: NOAA-Fisheries Incidental Harassment Authorization for the SFOBB East Span Seismic Safety Project; Renewal Request

Dear Mr. Lecky:

The purpose of this letter is to request a renewal of the Incidental Harassment Authorization (IHA) issued to the California Department of Transportation (Caltrans) on November 4, 2003. The IHA is valid from April 30, 2006 through April 29, 2007. The IHA, issued under the authority of Section 101(a)(5)(D) of the Marine Mammal Protection Act (16 U.S.C. 1316 et. seq.), provides for the taking, by level B harassment, of small numbers of marine mammals incidental to the construction of the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project over the San Francisco Bay in California.


This request for renewal of the IHA is based on documents previously submitted to NOAA-Fisheries in support of, or in compliance with, the existing IHA for the above named project. These documents include the following:

- The original application for the IHA submitted by Caltrans in September 2001;
- The IHA issued on November 4, 2003;
- The Marine Mammal Monitoring Plan for the SFOBB East Span Seismic Safety Project approved in May 2002;
- Two Federal Register Notices, one dated November 26, 2001 and one dated November 14, 2003;
- A letter from Caltrans requesting revisions to the IHA, dated December 16, 2003;
- A letter issued by NOAA-Fisheries on June 28, 2004 in response to the December 16, 2003 Caltrans request;
- Marine mammal monitoring reports submitted to NOAA-Fisheries between November 2003 and the present;

- The marine mammal monitoring report, Marine Mammal and Acoustic Monitoring for the Eastbound Structure, dated June 2004;
- The marine mammal monitoring report, Marine Mammal and Acoustic Monitoring for the Westbound Structure, dated January 2005; and
- Hydroacoustic Measurements at Piers T1 and E2 Report, dated August 2006.

Caltrans has not scheduled any pile-driving for the 2007 permit year. However, due to the possibility of unforeseen construction schedule changes, Caltrans believes it is important to maintain a current IHA during SFOBB construction operations. We understand from previous discussions with NOAA-Fisheries that the conditions of the existing permit will continue in force until the renewal permit is issued. If you have any questions, please contact Melissa Barrow, Senior Environmental Planner, at 510-286-0514.

Sincerely,


 For: JEFFREY G. JENSEN

Office Chief
 Office of Biological Sciences and Permits

Bc: Tony Anziano, Toll Bridge Program
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